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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/761,382      | 01/22/2004  | Paul G. Baniak       | P24859              | 2420             |

7055 7590 04/29/2005

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| EXAMINER |
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AGDEPPA, HECTOR A

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| ART UNIT | PAPER NUMBER |
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2642

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/761,382             | BANIAK ET AL.       |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Hector A. Agdeppa      | 2642                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/23/04, 2/8/05, 3/4/05</u>   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 13 and 14 objected to because of the following informalities: Claim 13 depends from claim 1 and claim 14 depends from claim 13. Yet, as numbered, it would appear that claims 13 and 14 follow from the second set of claims, i.e., 9 – 12. It is suggested that applicant renumber the affected claims for the sake of clarity and continuity.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 8, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,463,682 (Fisher et al.)

As to claims 1 and 2, Fisher et al. teaches a profile management system for accessing and maintaining profile data associated with telecommunications service subscribed by user wherein the data stored on a telecommunications network server which executes the telecommunication service in accordance with the profile data, the profile management system (Col. 1, line 47 – Col. 2, line 62) comprising:

a user workstation read as the claimed client which hosts a graphical user interface (GUI) read as the claimed user interface allowing the user to view and update

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the profile data (210 in Figs. 2A and 2B, Col. 1, lines 57 – 61, Col. 5, line 44 – Col. 14, line 39); any of either service control points (SCP) 10 or 20, or SMS hardware 200 (Figs. 1 and 2A) reading on the claimed server which processes user requests by obtaining the profile data from and updating profile data from the client to the advanced intelligent [telecommunications] network (AIN) (Fig. 1, Col. 6, line 32 – Col. 14, line 39) via a service creation and management application 204 resident within SMS 200, which preferably comprises the SPACE application, read as the at least one intermediate system (Fig. 2A, Col. 5, lines 37 – 65).

As to claim 8, see Fig. 8 and Col. 12, lines 51 – 55.

As to claims 13 and 14, see the rejection of claim 1 above.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,463,682 (Fisher et al.)

As to claim 5, Fisher et al. does not specifically teach generating reports comprising calling parties attempting to connect to a user and indicating successful and unsuccessful connections. However, Fisher et al. teaches collecting various types of traffic data for statistical, analytical, as well as billing purposes and generating graphs or reports. (Col. 17, line 55 – Col. 19, line 67 of Fisher et al.)

Collecting information as to whether or not a call was connected to a user or not would clearly be necessary for billing inasmuch as if a caller is not connected to a user, the user should not be billed for the call. Also, for statistical purposes known in the art, this and almost any type of information may be monitored and reported upon. The only determining factor(s) is the information desired. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to have included generating reports as claimed by the present invention.

As to claim 6, Fisher et al. does not specifically teach allowing only authorized users to access and update profiles. However, such is inherent or at the least obvious in this or any other system like it. Unless a service provider or customer wishes to allow any and all people with access to the client computer or application to be able to alter their data and profiles, access must be authorized as by PIN, or access code, for example. It would have been obvious for one of ordinary skill in the art at the time the

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invention was made to have allowed for authorized access inasmuch as it is a standard feature in most if not all systems and Fisher et al. contemplates the at certain times, access must be restricted, such as access to a particular feature. (Col. 21, lines 60 – 65 of Fisher et al.)

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,463,682 (Fisher et al.) in view of US 4,878,240 (Lin et al.)

Fisher et al has been discussed above regarding authorized access. What Fisher et al. does not explicitly teach are the specific features and services provided to a customer. However, Lin et al. teaches a system and method of call screening wherein a calling party is only successfully connected to a user if the calling party's telephone number is an authorized number and if not connected, the calling party will hear an announcement and be disconnected. (Col. 5, lines 44 – 55, Col. 11, line 59 – Col. 12, line 8, Col. 13, lines 24 – 33 of Lin et al.)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have incorporated such call screening in the invention of Fisher et al. inasmuch as call screening is merely one of a plurality of old and well known services available to telephony users / subscribers. Therefore, it would have been one of the contemplated services that Fisher et al. teaches provisioning and creating.

Furthermore, Fisher et al. teaches allowing the storage of prohibited-to-dial telephone numbers and playing an announcement, read as the claimed prerecorded message, and disconnecting a caller. (Fig. 23, Col. 22, lines 55 – 65 of Fisher et al.)

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This provides further evidence that a call screening feature as taught by Lin et al. would have been obvious to implement in Fisher et al. inasmuch as Fisher et al. already contemplates call screening from a dialing perspective.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,463,682 (Fisher et al.) in view of US 5,396,546 (Remillard)

Fisher et al. has been discussed above. What Fisher et al. does not teach is allowing a user to specify when to forward updates to the telecommunications network.

However, Remillard teaches an automatic and user configurable information appliance wherein the updating of an electronic device or the downloading of mail, for example, can be predetermined with times set by a user or done automatically. (Col. 6, line 38 – 1 of Remillard)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have allowed for user-set updating inasmuch as Fisher et al. teaches essentially automatic updating. Therefore, Remillard merely teaches another method of updating, which can co-exist with automatic updating. Motivations for user-set updating are old and well known and encompass merely giving a user more freedom in how his/her service(s) are implemented to saving resources in that automatically updating a user's profile each and every time a parameter or service is updated is wasteful as compared to for example, waiting until a user has completed all his/her updates for that session to update his/her profile.

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6. Claims 9 - 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,463,682 (Fisher et al.) in view of US 4,897,866 (Majmudar et al.)

As to claims 9 and 10, see the rejection of claims 1 and 2 above. What Fisher et al. does not teach is the ability for a user, read as a customer, to update and modify his/her profile data without involving service personnel.

As defined by Fisher et al., a user is a service person or agent. However, Majmudar et al. teaches a client server system wherein a user, read as a customer, not service personnel, may select and modify service features using a computer or GUI device which can access a switching system. (Abstract, Fig. 1, Col. 1, line 26 – Col. 2, line 12, Col. 2, line 39 – Col. 6, line 21 of Majmudar et al.)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have allowed customer access to the system taught by Fisher et al. inasmuch as Majmudar et al. in and of itself, addresses this very feature. Hence, the idea of allowing an end customer to access his/her own profile and modify it would merely require giving access to that customer in lieu of to the user of Fisher et al. The same GUIs, system components, methods, etc. could be used. Again, the only difference, being expanding access to end users.

As to claims 11 and 12, see the rejection of claims 3 and 4.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,222,125 (Creswell et al.) teaches a system and method of



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personalized calling features wherein a user can give certain callers access codes or CINs to allow them to be connected to the user. US 5,469,500 (Satter et al.) teaches a method and apparatus for delivering calling services. US 5,544,320 (Konrad) teaches a remote information service access system based on a client-server-service model.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 571-272-7480. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

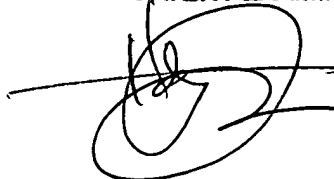
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hector A. Agdeppa  
Examiner  
Art Unit 2642

H.A.A.  
April 19, 2005

**HECTOR A. AGDEPPA**  
**PATENT EXAMINER**

A handwritten signature in black ink, appearing to be 'H.A. Agdeppa', written over a circular stamp or background.